

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

MARK BRYAN MARTIN-DOBSON,)
)
Plaintiff,)
) **No. 3:12-cv-1146**
v.)
) **Judge Sharp**
DARON HALL, *et al.*,) **Magistrate Judge Griffin**
)
Defendants.)

ORDER

In this case brought by an inmate at the Davidson County Criminal Justice Center, the Magistrate Judge has entered an exhaustive Report and Recommendation (“R & R”) (Docket Entry No. 32), recommending the following:

- 1) Defendants’ motion to dismiss (Docket Entry No. 14) and motion to dismiss the amended complaint (Docket Entry No. 24) be GRANTED as to Defendants Daron Hall, Beth Gentry, and Frank Sykes and these defendants be DISMISSED from the action;
- 2) Defendants’ motion to dismiss (Docket Entry No. 14) and motion to dismiss the amended complaint (Docket Entry No. 24) be DENIED as to Defendant Michael Graulau and this Defendant be required to file an answer; and
- 3) Plaintiff’s motions for summary judgment (Docket Entry Nos. 27 and 31) be DENIED.

(*Id.* at 12). Defendant Michael Graulau filed a timely objection to the R & R on May 7, 2013. (Docket Entry No. 35).

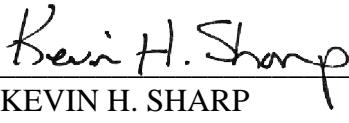
Having considered the matter *de novo* in accordance with Fed. R. Civ. P. 72(b), the Court agrees with the Magistrate Judge’s recommended disposition.

Accordingly, the Court hereby rules as follows:

- (1) The Report and Recommendation (Docket Entry No. 32) is hereby ACCEPTED and APPROVED, and Defendant Graulau's objections thereto (Docket Entry No. 35) are hereby OVERRULED;
- (2) Defendants' *Motion to Dismiss Complaint* (Docket Entry No. 14) is hereby GRANTED in part and DENIED in part. The motion is granted with respect to Defendants Daron Hall, Beth Gentry, and Frank Sykes but denied with respect to Defendant Michael Graulau;
- (3) Defendants' *Motion to Dismiss Amended Complaint* (Docket Entry No. 24) is hereby GRANTED in part and DENIED in part. The motion is granted with respect to Defendants Daron Hall, Beth Gentry, and Frank Sykes but denied with respect to Defendant Michael Graulau;
- 4) Plaintiff's motions for summary judgment (Docket Entry Nos. 27 and 31) are hereby DENIED; and
- (5) The claims against Defendants Daron Hall, Beth Gentry, and Frank Sykes are hereby DISMISSED WITH PREJUDICE.

This action is hereby returned to the Magistrate Judge for further pretrial management in accordance with Local Rule 16.01 for the remaining claims against Defendant Michael Graulau.

It is SO ORDERED.



KEVIN H. SHARP
UNITED STATES DISTRICT JUDGE